

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

DR. VELTON C. WHITE,)	
DONNA WHITE)	
)	
Plaintiffs,)	
)	Case No. 07 C 0892
v.)	
MICHAEL C. MARSHALL)	Judge J.P. Stadtmueller
SUPER SPRING ORTHODONTICS, LLC,)	
SPEEDALIGNERS, LLC,)	
NIGHTSHIFT, LLC and)	
DANIEL BISHOP)	
)	
Defendants and counterclaimants)	

DEFENDANTS MOTION TO DISMISS
WHITE'S COMPLAINT UNDER FED. R. CIV. P. 12(b)(6)

Michael C. Marshall, by undersigned counsel, hereby submits the following motion and accompanying memorandum to dismiss the Amended Complaint (AC) of Donna White and Dr. Velton C. White ("White") filed October 1, 2009, pursuant to Fed.R.Civ.P. 12(b)(6).

In addition to arguments raised in the motion to dismiss filed by all defendants, incorporated by reference, White's Complaint should be dismissed as to Marshall because White fails to allege facts sufficient to pierce the corporate veil and impose personal liability on Michael C. Marshall, under the appropriate standard for infringement claims.

Respectfully submitted,

MICHAEL C. MARSHALL

Dated: October 21, 2009

By: /s Marjory S. Stewart
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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2009 I electronically filed the foregoing with the Clerk of the Court using the CM/ ECF system which will send notification of such filing to the following:

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